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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/511,265	02/23/2000	Charlie Ghahremani	37075/JEC/X2	4000

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EXAMINER

HOM, SHICK C

ART UNIT PAPER NUMBER

2666

DATE MAILED: 04/09/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/511,265

Applicant(s)

GHAHREMANI, CHARLIE

Examiner

Shick C Hom

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 2/23/2000, 10/7/2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Drawings

1. The drawings submitted with this application were declared informal by the applicant. Accordingly they have not been reviewed by a draftsperson at this time. When formal drawings are submitted, the draftsperson will perform a review.

Direct any inquires concerning drawing review to the Drawing Review Branch (703) 305-8404.

2. Applicant is required to submit a proposed drawing correction in reply to this Office action. However, formal correction of the noted defect can be deferred until the application is allowed by the examiner.

Specification

3. The abstract of the disclosure is objected to because in line 17 delete typo "wet" and insert ---set---. Correction is required. See MPEP § 608.01(b).

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4. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 112

5. Claims 1-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1 line 8 and claim 4 line 2 which recite "the translated packet" is not clear as to whether it is reciting --- the translated first packet--- as in claim 1 line 4 or ---the translated generic packet--- as in claim 1 line 7. In claim 4 line 2 which recite "the packet" is not clear as to whether it is reciting ---the first packet--- or ---the generic packet--- or --the translated packet---. In claim 6 line 10 which recite "the translated packet" is not clear as to whether it is reciting --- the translated first packet--- as in claim 6 lines 3-4 or ---the translated generic packet--- as in claim 6 line 7. In claim 10 lines 6, 8 and claim 11 lines 1-2 which recite "the generic forwarding interface" lacks clear antecedent basis because no

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generic forwarding interface have been previously recited in the claims and therefore the limitation is not clearly understood.

Claims 2, 3, 5, 7-9 are rejected under 35 U.S.C. 112, second paragraph because they depend from rejected claims 1, 4, and 6, respectively.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Diaz et al. in view of Volftsun et al.

Diaz et al. disclose nearly all the subject matter now claimed. Note col. 1 lines 29-43 which recite services that support bursty information types such as packet services and col. 1 line 66 to col. 2 line 38 which recite a multi-service switch for a telecommunications network including a plurality of

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interface modules each have an input and an output whereby the input being coupled to the egress portion of the system bus, and the output being coupled to the ingress portion of the system bus operable to perform distributed switching wherein an ingress/egress bridge is coupled to the ingress portion of the system bus, and the output of the ingress/egress bridge is coupled to the egress portion of the system bus configured to support a plurality of types of telecommunications services having unique data formats including the interworking of different service types, that is, the transformation of telecommunications information received in a first format to a second format for transmission in the second format to other entities in the network clearly anticipate the data switch including the plurality of interface modules having the method of forwarding block of data comprising receiving a first packet in a first protocol, translating the first packet into another protocol or format as in claims 1, 6. Col. 16 lines 36-57 which recite the multi-service switch composing of multiple clusters of chassis and the cluster of chassis connected to the output port clearly anticipate sending the translated packet to an output port as in claims 1, 6. Col. 19 lines 24-43 which recite the multi-service switch system maintaining the switching

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delay component of the quality of service using a timestamping procedure which records the time of arrival and the time of departure from the queue clearly anticipate placing packet into the receiving and forwarding queues corresponding to a quality of service level of the packet as in claims 2, 3, 8, 9, 10. Col. 16 line 58 to col. 17 line 29 which recite the use of the group address/multicast connection number field and providing entities with packet bus overlay bearer services consisting of both point to point unicast and point to multi-point multicast modes of data transfer clearly anticipate the destination port being selected from a group consisting of internal external unicast or multicast ports as in claim 5. Col. 18 line 53 to col. 19 line 5 which recite the datagram destination address being examined by the packet bus entities, placing it in the egress queuing system according to the associated class of service level, maintaining in separate subqueues to provide the quality of service levels associated with each class of service, and local and external switching of packet services in the same chassis or cluster, and for external switching between entities in different clusters clearly anticipate the sending packet to a backplane wherein the packet having port address within a range reserved for the destination port as in claim 4.

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Diaz et al. did not recite passing a generic packet to the application, receiving from the application the generic packet and translating the generic packet into a second protocol and sending it to an output port as in claims 1, 6 and the generic forwarding interface as in claims 7, 10, 11.

Volftsun et al. teach that it is known to provide the step of converting the signals based on protocol definitions and customer-specified parameters into a non-protocol specific form, e.g. a generic protocol, and then converts the generic protocol into the requisite protocol of the receiving network as set forth at col. 3 line 63 to col. 4 line 14) in the field of digital and multiplex communications for the purpose of servicing protocols of an international telephony system and col. 3 lines 7-23 which recite the use of the protocol conversion in network applications clearly anticipate the step of passing a generic packet to the application, receiving from the application the generic packet and translating the generic packet into a second protocol and sending it to an output port as in claims 1, 6 and the generic forwarding interface as in claims 7, 10, 11.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the step of passing a generic packet to the application, receiving from the

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application the generic packet and translating the generic packet into a second protocol and sending it to an output port and the generic forwarding interface as taught by Volftsun et al. to the system of Diaz et al. because Volftsun et al. teach the desirable advantage of servicing protocols of an international telephony system in Diaz et al.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hartmann et al. disclose a communication traffic circle system and method for performing packet conversion and routing between different packet formats including an instruction field.

9. **Any response to this nonfinal action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for Technology Center 2600 only)

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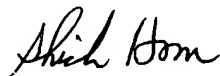
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (2600 Receptionist at (703) 305-4750).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shick Hom whose telephone number is (703) 305-4742. The examiner's regular work schedule is Monday to Friday from 8:00 am to 5:30 pm EST and out of office on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao, can be reached at (703) 308-5463.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

SH



March 31, 2003